



**CITY OF ANNAPOLIS**

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**Board of Supervisors of Elections**

# **Candidate Handbook 2021**

**This City of Annapolis Board of Supervisors of Elections 2021 Candidate Handbook is to be used as a reference guide for candidates participating in elections conducted by the City. This Handbook is not intended to be used as a substitute for the Charter or Code of the City of Annapolis, or any other relevant statutes, applicable case law, or rules of the Board.**

**The Board of Supervisors of Elections reserves the right to modify all 2021 City of Annapolis' Municipal Election forms and information as needed to address and comply with the precautions due to the COVID-19 Pandemic.**

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City of Annapolis Board of Supervisors of Elections  
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160 Duke of Gloucester Street  
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Phone 410.263.7929 • Fax 410.280.1853

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## BOARD OF SUPERVISORS OF ELECTIONS

Dear Candidate & Treasurer,

The City of Annapolis Board of Supervisors of Elections is responsible for overseeing the administration of all municipal elections held in the City, or any part of the City. Its mission is to conduct fair and open elections that are safe and secure, provide access to the election process including voter registration and accessible polling locations to its citizens, protect the integrity of the vote, and maintain a transparent, accurate, and efficient process that benefits the public.

As we approach the 2021 City of Annapolis Municipal Elections, we have compiled this Candidate Handbook as a reference guide to assist candidates filing for offices in the September 21, 2021 Primary Election and the November 2, 2021 General Election. The handbook provides an overview of City Code as it relates to candidacy and campaign rules, fair election practices, election process, forms, and critical deadlines related to the 2021 Election Calendar. We hope that you will find it to be informative and helpful. We ask that you review the information thoroughly and share it with your campaign manager, and others associated with your campaign. Online access to the handbook and election updates are available on our website: <https://www.annapolis.gov/1702/2021-Elections-Information>.

Members of the Board of Supervisors of Elections are appointed by the City Council for a 4 - year term. Current members are as follows:

Name	Appointed	Reappointed	Expires
<b>Eileen Leahy, Chair</b>	6/23/14	3/12/18	3/14/22
<b>Cliff Myers</b>	6/23/14	3/12/18	3/14/22
<b>Briayna Cuffie</b>	3/12/18		3/14/22

The Board holds regular meetings on the third Thursday of the month at 7:00 p.m. and on Primary and General Election Days. Meetings are open to the public. Dates for calendar year 2021:

January 21	February 18	March 18
April 15	May 20	June 17
July 15	August 19	September 16
September 21	October 21	November 2
November 18	December 16	

**Virtual** Meetings are held during the **State of Emergency for COVID-19**. The meetings can be viewed online by using this link: <http://www.youtube.com/user/CityofAnnapolis>

To submit public testimony: **Board of Supervisors of Elections – Comments Web Form** can be found by using this link: <https://www.annapolis.gov/FormCenter/Boards-and-Commissions-Comments-15/Board-of-Supervisors-of-Elections-Commen-75>

## CONTACT AND CONNECT

### CITY OF ANNAPOLIS ELECTIONS OFFICE

160 Duke of Gloucester St, 1<sup>st</sup> Floor, Annapolis, MD 21401

**Mailing Address:** PO Box 788, Annapolis, MD 21404

Regular Hours: 8:30 a.m. – 4:30 p.m. Monday – Friday.

Extended hours and holidays are stated in the [2021 City of Annapolis Election Calendar](#)

Phone: (410) 263-7929 FAX: (410) 280-1853

Email: [Elections@annapolis.gov](mailto:Elections@annapolis.gov)

Website: <https://www.annapolis.gov/1702/2021-Elections-Information>

Susan Eckert, Election Administration Assistant

Email: [seckert@annapolis.gov](mailto:seckert@annapolis.gov) Phone: (410) 263-7929

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### BOARD OF SUPERVISORS OF ELECTIONS

Website: <https://www.annapolis.gov/650/Board-of-Supervisors-of-Elections>

Clerk to the Board: Regina C. Watkins-Eldridge, City Clerk, MMC

Email: [rceldridge@annapolis.gov](mailto:rceldridge@annapolis.gov) Phone: 410-263-7942 x2

Attorney to the Board: Ashley E. Leonard, Assistant City Attorney

Email: [aeleonard@annapolis.gov](mailto:aeleonard@annapolis.gov) Phone: 410-263-7954 x4

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### ANNE ARUNDEL COUNTY BOARD OF ELECTIONS

**Election Day Help Desk (410) 222-0498**

6740 Baymeadow Drive, Glen Burnie, MD 21060

Website: <https://www.aacounty.org/boards-and-commissions/board-of-elections>

Email: [elections@aacounty.org](mailto:elections@aacounty.org) Phone: (410) 222-6600

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### MARYLAND STATE BOARD OF ELECTIONS

151 West Street, Suite 200, Annapolis MD 21401 Website: <https://elections.maryland.gov>

Email: [info.sbe@maryland.gov](mailto:info.sbe@maryland.gov) Phone: (410) 269-2840 / (800) 222-8683



## DEFINITIONS

As used in this title, the following terms shall have the meanings indicated unless a contrary meaning is clearly intended from the context in which the term appears:

**"Approved voting device"** means a paper ballot approved under [Section 4.24.060](#) or a voting device approved by the Anne Arundel County Board of Elections and the Maryland State Board of Elections.

**"Ballot"** or "ballots" means paper ballots, absentee ballots, provisional ballots or the labels which appear on the face of voting machines, whichever in context would be appropriate.

**"Board"** means the Board of Supervisors of Elections of the City and the respective members of the board. However, where the responsibility for administering an election under this title has been delegated by the City Council to the Board of Elections of the County, "Anne Arundel County Board of Elections" refers to that body where such construction would be reasonable.

**"Campaign manager"** means any person appointed or designated by any candidate or the candidate's representative to exercise general overall responsibility for the conduct of a political campaign.

**"Candidate"** means any person who files a certificate of candidacy for any public or party office.

**"Central committee"** means the governing body of a political party and in this handbook refers to the Annapolis Democratic Central Committee and/or the Annapolis Republican Central Committee.

**"Challenger"** or "watcher" means registered voters designated by a candidate, political party, or other group to be in a precinct for the purpose of observing an election. These individuals may observe the set up of the voting units, voting throughout the day, and the closing procedures.

**"City"** means the City of Annapolis, an incorporated municipal corporation of the State of Maryland and consisting of eight (8) voting wards.

**"Contributions"** means the gift, transfer or promise of gift or transfer of money or other thing of value to any candidate, or a candidate's representative, or a representative of any political party or partisan organization to promote or assist in the promotion of the success or defeat of any candidate, political party, principle or proposition submitted to a vote at any election.

**"Election"** means any primary, general, special election or referendum election of the City.

**"Election calendar"** means the [2021 Municipal Election Calendar](#) as prepared by the Board of Supervisors of Elections and the City Clerk

**"Election cycle"** means that period of time beginning on the day after the day of a general election as established by Article II, Section 5 of the Charter of the City of Annapolis and ending on the day of the next general election as established by that charter provision. A Special Election conducted pursuant to Article II, Section 7 of the Charter of the City of Annapolis shall constitute a separate election cycle for those running in the Special Election.

**"Expenditure"** means any gift, transfer, disbursement or promise of money or valuable thing by any candidate, treasurer or other agent of the candidate, political party or partisan organization to promote or assist in the promotion of the success or defeat of any candidate, political party, principle or proposition submitted to a vote at any election.

**"General election"** means the election held on the first Tuesday after the first Monday in the month of November, at which the voters of the City vote for candidates for Mayor and aldermen/alderwomen.

**"Judge"** means any person who is a registered voter of the City of Annapolis or Anne Arundel County designated as a judge of election and shall include book judges and machine attendants. Judges" refers to a combination of judges which shall, at all times, include judges affiliated with the majority party and the principal minority party.

**"Majority party"** means the principal political party to which the incumbent Mayor belongs, if the incumbent Mayor is a member of one of the two principal political parties; if the incumbent Mayor is not a member of one of the two principal political parties, "majority party" means the principal political party whose candidate for Mayor received the highest number of votes at the last preceding general election.

**"Partisan organization"** means any combination of two or more persons formed for the purpose of assisting the promotion of the success or defeat of any candidate, political party, principle or proposition to be submitted to a vote at any election.

**"Party"** or **"political party"** means an organized group of the electorate that attempts to control government through the election of its candidates to office, and which polled three percent of the entire vote cast in the City in the last presidential general election held in the City. "Party" or "political party" shall also include any political party recognized as such by the Maryland State Board of Elections or its successors.

**"Person"** means an individual, association, unincorporated association, corporation, or any other entity.

**"Political agent"** means any person appointed by any candidate, a candidate's representative, a political party or partisan organization to promote or assist in the promotion of the success or defeat of any candidate, political party, principal or proposition submitted to a vote at any election.

**"Political committee"** means any combination of two or more persons appointed by a candidate or any other person or formed in any other manner which assists or attempts to assist in any manner the promotion of the success or defeat of any candidate, candidates, political party, principle or proposition submitted to a vote at any election.

**"Primary election"** means the election at which any political party with which ten percent or more of the registered voters are affiliated shall nominate all its candidates for public office and elect all members of the City central committees in the political party.

**"Principal minority party"** means the other of the two principal political parties.

**"Principal political party"** means a political party recognized by the State Board of Elections which is required to nominate its candidates for public office in the primary elections.

**"Provisional ballot"** means a ballot distributed to an individual after the individual has completed a temporary certificate of registration.

**"Registration"** means the act by which a person becomes qualified to vote in any election in this City.

**"Residence"** means a place of fixed permanent domicile.

"**Treasurer**" means any person appointed by a candidate, political agent, political committee, or political party or partisan organization to receive or disburse money or other things of value to promote or assist in the promotion of the success or defeat of any candidate, political party, principle or proposition submitted to a vote at any election.

"**Unaffiliated**" means any voter who has declined to affiliate with a political party.

"**Watcher**". See "challenger" above.

## CANDIDACY

### **4.20.010 - Requirements and Prohibitions.**

- A. Nominations for offices that are filled by elections may be made by primary election or petition.
- B. No certificate of nomination shall contain the name of more than one nominee for each office to be filled.
- C. No person shall be a candidate for nomination for more than one office in any primary election, nor shall a person be a candidate for election to more than one office in any general election.
- D. No person shall file as a candidate for more than one public office at any primary election.
- E. No person shall file as a candidate for more than one party office at any primary election.
- F. A person may not simultaneously be a candidate for a political party's nomination to a public office and also a candidate for election to an office in that political party.

### **4.12.010 – Democratic & Republican Central Committees – Election by Parties.**

The two leading political parties of the State in the City shall each elect a City Central Committee at the primary election. The respective central committees shall be composed of one member from each ward of the City and one member at large. Every person filing a certificate for election to the City central committee shall be a registered voter in the City and be affiliated with the party of the committee for which the person seeks election. The members of the City central committee shall serve for a period of four years and their duties shall be those as set forth in the City Charter and City Code. In the event of any vacancy, it shall be filled by the remaining members of the central committee. A membership list of both central committees shall be filed with the City Clerk. That list shall be updated if any changes occur.

### **ARTICLE II, SEC. 3. - Terms and qualifications for office.**

- A. The mayor and aldermen/alderwomen shall each serve terms of four (4) years, or until their successors are elected and qualified. The mayor and aldermen/alderwomen elected at each

municipal election take office on **Monday, December 6, 2021** and shall hold office until **Monday, December 1, 2025**, or until their successors are elected and qualify.

- B. The mayor must be a registered voter in the city for at least two (2) years immediately preceding the date of the general election. This deadline is **Friday, November 1, 2019**. A person may not hold office as mayor for more than two (2) full consecutive terms to which elected.
- C. Aldermen/Alderwomen, except those first elected from areas annexed to the city, shall be registered voters in the city for at least one (1) year immediately preceding their election. This deadline is **Monday, November 2, 2020**. They must be a registered voter in the ward from which they are elected for at least six (6) months and must have resided in that ward for at least six (6) months immediately preceding the date of the general election. This deadline is **Monday, May 3, 2021**.

#### **4.20.020 & 2.08.050 - Certificate of Candidacy & Financial Disclosure**

- A. Each person seeking nomination to any public office or election to any party office at a primary election, including write-in candidates, shall file a [Certificate of Candidacy](#). A candidate shall be affiliated with the party whose nomination or office the candidate seeks. Before finally placing the name of a candidate on the ballot at the succeeding primary election, the Board shall determine that the candidate meets the registration and affiliation requirements of City Code, the Charter and Maryland law.
- B. The use of titles, degrees or other professional designations on the certificate of candidacy is prohibited.
- C. A candidate to be an elected official shall file a financial disclosure statement with the City Clerk or Board no later than the filing of the certificate of candidacy. The City Clerk or Board may not accept any certificate of candidacy unless a financial disclosure statement has been filed in proper form.

#### **4.20.030 - Certificate of Candidacy - Filing.**

An individual becomes a candidate for office whenever any of the following occurs during an election cycle:

- A. Except for certificates of candidacy filed by write-in candidates and as otherwise provided, a certificate of candidacy is filed in person, under oath and received by the Board not later than 9:00 p.m. on **Monday, July 26, 2021**.
- B. An individual has received contributions or made expenditures, or given consent to another person to receive contributions or make expenditures on the individual's behalf, aggregating in excess \$300.00
- C. After written notification by the Board, that any other person has received contributions aggregating in excess of \$300.00 or made expenditures aggregating in excess of \$300.00 on the individual's behalf, the individual fails to disavow such activity by letter to the Board in care of the City Clerk within thirty (30) days after receipt of the notification.

- D. The aggregate of contributions received under Subsections B. and C. of this section, in any combination thereof, exceeds \$300.00 or the aggregate of expenditures made under Subsections B. and C. of this section exceeds \$300.00.

#### **4.20.020.D & 4.20.080.E - Write-in Candidates.**

- A. Write-in candidates shall file certificates of candidacy accordance with the provisions of Sections 4.20.020 and 2.08.505.
- B. There shall be no names of write-in candidates in primary elections.

#### **4.20.040 & 4.20.160 - Vacancy in nomination.**

All vacancies which may exist with respect to a candidate for City Council, by reason of there being no candidate of a political party to file for the office in a primary election, may be filled by the City central committee. The central committee authorized to fill such vacancy shall file the certificate of nomination with the Board not later than **Monday, August 9, 2021**.

Vacancies in nomination following the primary election may be filled by the central committee of the political party to which the nominee belongs. The person filling the vacancy shall satisfy the requirements of [Section 4.20.010](#). In the event of any vacancy occurring because of the declination, disqualification or death of any person nominated, or because of a tie vote in any primary election, except as provided, the vacancy shall be filled no later than **Friday, October 1, 2021**. Where the vacancy results from a tie vote, the nominee selected to fill the vacancy shall be one of the candidates receiving the tie vote.

#### **4.20.050 - Filing fees.**

- A. Each candidate for nomination to public office at any primary election shall pay a nonrefundable fee as follows:
- Mayor: \$120.00      Alderman/Alderwoman: \$60.00      Central Committee \$30.00
- B. All payments shall accompany the certificate of candidacy and shall be made payable to the City. Filing fees may be paid by check, money order, or electronic means.
- C. In circumstances where a candidate seeks a filing fee waiver, before a waiver may be granted by the Board, the candidate shall submit a [Petition to File as an Indigent Candidate](#). The Board may conduct a reasonable investigation of the facts contained therein and if convinced that there is financial hardship, the Board shall grant a waiver.

#### **4.20.070 - Primary elections—Parties using.**

- A. Any political party with which ten percent or more of the registered voters of this City are affiliated shall:

1. Nominate all its candidates for public office; and
  2. Elect all members of the City central committees in the political party.
- B. The name(s) of any candidate(s) of any parties who are not so nominated will not appear on the official ballot at any general or special election.

#### **4.20.080 - Primary elections—Conduct.**

- A. Primary elections shall be held and conducted and determined in the manner and form provided for general elections and subject to all regulations, requirements and provisions as prescribed for general elections, insofar as the same are or may be applicable to primary elections, except as may be otherwise provided
- B. When only one candidate of any political party has qualified to be placed on the official primary election ballot at the expiration of the time allowed, the person's name and the name of the position for which the person is a candidate will be placed on the official ballot.
- C. If there are no contested nominations for any public office and no contested elections to any party office, the candidates are deemed nominated or elected, as the case may be and the primary election shall not be held. If there is no contested nomination for Mayor or contested election for a citywide party office, the primary election shall be held only in those wards in which there is a contested nomination for Alderman/Alderwoman or a contested election for a party office. Unopposed candidates are nominated or elected, as the case may be.

**The 2021 Primary Election will be held on Tuesday, September 21, 2021**

#### **4.20.090 - Nomination by petition—Requirements.**

- A. A person seeking the office of Mayor, Alderman/Alderwoman who is registered as unaffiliated as defined in this title or who is not registered as a member of a political party that is recognized by the Maryland State Board of Elections may be nominated by petition, as provided in this section.
- B. A candidate for public office seeking nomination by petition shall file a certificate of candidacy at the time and place and in the manner provided in this chapter and shall comply with all other applicable provisions of this title, in the same manner as candidates for nomination at a primary election.
- C. In order to have the name of a proposed candidate placed on the ballot under this section, the candidate shall file with the Board petitions signed by the number of voters specified in subsection D of this section. Petitions shall be filed as required by [Section 4.20.100\(A\)](#). The entire petition shall be filed with the Board at the time of the filing of the certificate of candidacy.
- D. A candidate for Mayor shall file petitions bearing the signatures of not less than five hundred (500) registered voters, of whom not less than fifty (50) shall reside in each ward of the City. A candidate for Alderman/Alderwoman shall file petitions bearing the signatures of not less

than one hundred (100) registered voters residing in the ward from which the candidate seeks nomination.

- E. The Board shall prescribe the form of petitions filed under this section. The signatures shall be on separate papers, bearing one or more signatures and being no more than eight and one-half inches in width or fourteen inches in length. Each person shall append to his or her signature the signer's residence, and the ward where the signer is registered as a voter, and immediately below the signature of any signer there shall be either printed or typed the name of the signer. Every paper shall be accompanied by an affidavit signed under penalty of perjury, to the effect that the signer is, to the best knowledge and belief of the affiant a registered voter of the City as set forth in the petition, and that the affiant personally saw the person sign the paper. The [Nomination by Petition](#) form meets these requirements.
- F. A person may not sign more than once for the same nominee for an office.

#### **4.20.110 - Certificate of nomination.**

- A. All nominations shall be attested to by a certificate of nomination.
- B. If the nomination is by means of a primary election, the certificate shall be signed and acknowledged by the Board.
  - 1. Whenever only one candidate of any political party has qualified to be placed upon the official primary election ballot at the expiration of time allowed, for any public office or position, a certificate of nomination or selection shall be issued to that candidate.
  - 2. If after the expiration of time allowed by this title for candidates for public office or central committees to qualify for the purpose of having their names placed upon the official primary election ballot, it shall appear that only one set, or less than one set, of candidates of any such political party have so qualified, certificates of nomination or selection shall be issued to the candidates so qualified in a similar manner to that provided in this section for candidates nominated at primary elections.
- C. The certificate of nomination of any person nominated by petition shall contain the name of the person so nominated, the address of the nominee's residence, and the name of the office to which the person has been nominated.

#### **4.20.150 - Declining nomination—Withdrawal.**

- A. Withdrawal.
  - 1. Whenever any person who has filed a certificate of candidacy for nomination in any primary election, in a writing signed by the person withdrawing, and acknowledged before a notary public or any other person empowered to take oaths, notifies the Board within seven days after the filing date that the person desires to withdraw as a candidate for such nomination, the certificate of candidacy shall be void. The name of the person so withdrawing shall not be printed upon the ballots to be used at the primary election. The filing of a valid [Certificate of Withdrawal](#) of candidacy is a final act of withdrawal;



and a person who files such a certificate of withdrawal may not reinstate the person's candidacy, unless the time limit for the filing of candidacies has not expired.

2. A certificate of withdrawal of candidacy shall be accepted until the deadline for filing at 4:30 p.m. on **Monday, August 2, 2021. Failure to file a certificate of withdrawal by the deadline will result in that candidate's name remaining on the ballot.**
3. The name of any person who files a certificate of candidacy, is opposed, and does not withdraw shall appear on the ballot unless the candidate dies or is disqualified and the death or disqualification is known to the Board on or before the seventh day prior to the filing deadline.

**B. Declining Nomination.**

1. Any person nominated for Mayor or Alderman/Alderswoman may decline such nomination by notifying the Board that the nomination is declined. The statement of declination shall be in writing, signed by the person nominated and acknowledged before a notary public or any person empowered to take oaths, and shall be filed with the Board within ten days after the date of the primary election. If the person nominated complies with the provisions of this subdivision for declining nomination, the nomination shall be void; and the name of any person so withdrawing shall not be printed upon the ballots.
2. A certificate of declination of candidacy shall be accepted until the deadline for filing at four-thirty (4:30) p.m. on **Friday, October 1, 2021.**
3. The name of any person nominated for public office shall appear on the ballot unless the nominee declines the nomination, dies or is disqualified, and a certificate of nomination to fill the vacancy so created is timely filed.

**4.20.120 - Defeated primary candidates or ballot.**

No person defeated for the nomination for any office in a primary election shall have their name printed on the ballot at the succeeding general election as a candidate for any office, except that if a vacancy occurs in the party nomination of which the person was a candidate in the primary election, that person's name may be printed on the ballot for the general election as a candidate of that party if the person has been made the party nominee after a vacancy occurs in the manner provided by [Section 4.20.040](#).

**FAIR ELECTION PRACTICES**

**4.44.020 - Treasurer for candidate.**

- A. Each candidate as a condition precedent to qualifying as a candidate, shall appoint one campaign treasurer whose name and address will be indicated on the certificate of candidacy and the candidate and treasurer will complete an affidavit, under oath, with regard to campaign report filing requirements. The Board will not accept any certificate of candidacy unless this information is provided on the form. A campaign manager may also be appointed,



but is not required for candidacy. A treasurer or campaign manager shall be a registered voter of the City.

- B. Board members, or permanent, part-time or temporary employees of the Board, may not be a candidate, campaign manager or treasurer of any candidate, combination of candidates or political committee, during any part of the person's tenure in office or employment. The treasurer or campaign manager cannot serve in those capacities for another candidate or political committee, nor hold office of any other political committee, unless the political committee is appointed by the candidate filing.
- C. A candidate may not serve as the candidate's own treasurer or act as the campaign manager or treasurer of any other candidate or political committee. However, those candidates for party office who are members of central committees may be the treasurer of a central committee during their candidacy.
- D. The treasurer receives, keeps and disburses all sums of money or other valuable things, collected, received or disbursed by the candidate or committee or any of its members. The treasurer gives a written receipt for any contribution upon request; and keeps full and accurate records of all receipts and expenditures, which are retained by the treasurer for a period of two years following the election.
- E. A treasurer who resigns shall notify the Board by filing a [Resignation, Replacement and Acceptance of Officer](#). The candidate immediately shall appoint and file the name and address of the successor treasurer in accordance with this section.

#### **4.44.030 - Political committee chair and treasurer.**

- A. Each central committee, partisan organization, or political committee, except political clubs, shall appoint and maintain continuously a chair and a treasurer, whose names and residence addresses, together with the names and residence addresses of its principal officer, shall be filed with the Board. The chair, treasurer and other principal officers shall be registered voters of the City. At the time of the filing, the treasurer shall declare in writing whether the partisan organization or political committee will exist indefinitely.
- B. The treasurer receives, keeps and disburses all sums of money or other valuable things, collected, received or disbursed by the candidate or committee or any of its members. The treasurer gives a written receipt for any contribution upon request; and keeps full and accurate records of all receipts and expenditures, which are retained by the treasurer for a period of two years following the election.
- C. If any committee or political club, directly or indirectly, expends fifty-one dollars or more to aid or oppose the nomination or election of any candidate, regardless of the purpose for which the committee is formed, the treasurer of the committee, or in the case of a political club an officer of the club, shall report a statement of contributions and expenditures to the treasurer appointed by the candidate being so aided. The statement shall be included in, or attached to, the statement of contributions and expenditures reported by the treasurer of the candidate as provided in this chapter; however, a political club only need report that amount actually contributed to a candidate. This subsection applies to any committees located outside of the City with respect to any expenditures of funds within the City.

- D. A chair or treasurer of a committee or organization who resigns or otherwise ceases to be chair or treasurer, shall notify the Board by filing a [Resignation, Replacement and Acceptance of Officer](#). A new appointment must be made and filed immediately in accordance with this section.

#### **4.44.040 - Anonymous contributions.**

- A. Any money or other thing of value received from any unknown person or source by any treasurer, or other persons or committee authorized to incur obligations or to pay or defray obligations or expenses under the provisions of this chapter, shall not be used for any political purpose whatsoever, but shall be paid by the treasurer, or other persons or committee receiving the money or thing, to the City to help defray the expenses of the election.
- B. This section does not apply to any central committee or to any partisan organization or political committee that has been declared to have an indefinite existence.

#### **4.44.040 - Surplus funds.**

- A. Prior to the time of filing the final campaign fund report closing out a campaign, as required by this chapter, any surplus funds remaining after payment of all campaign expenditures shall be:
1. Paid to the City central committee of the party of which the candidate is a member or for which the political committee is acting; or
  2. Paid to the City to help defray the expenses of the election in all other cases.

**Note: this requirement differs from State Board of Elections campaign finance laws.**

- B. This section does not apply to any central committee or to any partisan organization or political committee that has been declared to have an indefinite existence.

#### **4.44.050 - Personal contributions and expenses of candidates.**

The contributions of a candidate or the candidate's spouse to the candidate's own campaign are not subject to the limitations of this chapter, but must pass through the hands of the candidate's treasurer or treasurer of the candidate's political committee and be reported as required in other provisions of this chapter. Personal expenses of the candidate for filing fees, telegrams, telephoning, travel and board shall not be considered contributions if paid for by the candidate or spouse.

#### **4.44.055 - Outstanding loans to political campaigns.**

Loans made to a candidate's campaign, or accepted on behalf of the campaign, must have the candidate's written consent as evidenced by a Loan Consent Form. The personal guarantee of the candidate for repayment of the loan applies only if expressly provided. The aggregate amount of all outstanding loans to the campaign to a candidate shall not exceed \$1,000.00 during a cycle for persons campaigning for Alderman/ Alderwoman; and shall not exceed \$2,500.00 during a cycle for persons campaigning for Mayor. An exclusion to this paragraph applies if the creditor is the candidate or the candidate's spouse and if interest is not being charged on the loan.

When the loan is first received, the Loan Consent Form must be filled out completely and filed with the Board at the time the campaign fund report is due. A loan cannot be made to the authorized candidate campaign committee without the express written consent of the candidate. If a non-candidate political committee accepts a loan, the treasurer shall acknowledge receipt of the loan by signing the Loan Consent Form.

Outstanding loans, not forgiven shall be reported to the Board as a campaign contribution within six months of the last election cycle.

#### **4.44.060 - Contributions and expenses of noncandidates.**

No person other than a candidate, to aid or promote the success or defeat of any political party or principle or of any proposition submitted to vote at any public election, or of any candidate for nomination for, or election to public or party office, shall make a payment or contribution of money or property or incur any liability or promise any valuable thing to any person other than to the treasurer of a candidate or treasurer of a political committee in their official capacity. A contribution may be made directly to a candidate, provided the candidate reports such contribution to the treasurer. Nothing in this chapter limits or affects the right of any person to volunteer time or a personal vehicle for transportation incident to any election or to expend money for proper legal expenses in maintaining or contesting the results of any such elections, nor does anything in this section preclude any person from expressing personal views on any subject, hiring halls, holding receptions, buying newspaper space and radio or television time, provided, that coincident with such statement or advertising notice shall be given that the views so expressed are the person's own, and that the statement so made is a "paid political advertisement."

#### **4.44.120 - Perjury.**

Any willfully false, fraudulent or misleading statement or entry made by a candidate for office, treasurer, or by any member or officer of any political committee, in any statement or account under oath, constitutes the crime of perjury, and is punishable according to the laws of this State.

#### **4.44.130 - Prohibited practices.**

1. Directly or indirectly, give or receive any money, gift, advantage, preferment, aid, emolument or any valuable thing, for the purpose of inducing or procuring any person to

- vote, or refrain from voting, for or against any person, or for or against any measure or proposition at any election;
2. In consideration of any money, gift, advantage, preferment, aid, emolument, or any valuable thing whatsoever, paid, received, accepted, or promised to the advantage of that person or any other person, vote or refrain from voting for or against any person, or for or against any measure at any election;
  3. Directly or indirectly, pay, give, contribute or promise any money or other valuable thing, to defray, costs or expenses of any campaign or election, to any person, committee, company, organization or association, other than to a treasurer; however, this subsection does not apply to volunteered time, personal vehicles, personal advertising or costs and expenses incident to the expression of personal views in accordance with the provisions of [Section 4.44.060](#);
  4. Directly or indirectly, make a payment, or promise of payment, to a treasurer, or candidate, in any other name than the person's own; nor shall a treasurer or candidate knowingly receive a payment, or promise of payment, and enter the same or cause the same to be entered in the treasurer's accounts in any other name than that of the person by whom the payment or promise of payment is made;
  5. Being an employer, pay one's employees the salary or wages due in "pay envelopes," upon which there is written, printed or enclosed any political motto, device or argument containing threats, express or implied, intended or calculated to influence the political opinions or actions of the employees, or within ninety days of an election put, or otherwise exhibit in the establishment or place where one's employees are engaged in labor, any handbill or placard containing any threats, express or implied, intended or calculated to influence the political opinions or actions of one's employees;
  6. Publish or distribute by any written or electronic means any statement which may be copied for publication or distribution, relating to or concerning any candidate, or for the acceptance or defeat of any proposition unless the statement clearly indicates the name of the candidate or committee responsible for the literature and contains, but set apart from the name of the candidate or committee, an authority line which includes the name and address of the person, treasurer or campaign manager responsible for the publication or its distribution; except, that if the person, treasurer or campaign manager has furnished the address to the appropriate board, the literature need not contain an address, except that this paragraph does not apply to a person exercising the rights described in [Section 4.44.060](#);
  7. Being a candidate, make any payment, contribution, expenditure or promote or incur any liability to pay, contribute or expend from personal financial resources any money or thing in value in excess of that authorized by this chapter;
  8. Contribute, in any one election cycle, any money, or tangible thing of value greater than:
    - a. One thousand dollars to any candidate for Alderman/Alderwoman; and

b. Two thousand five hundred dollars to any candidate for Mayor.

Contributions by a candidate to the candidate's own campaign are exempted from the limitations set forth in this section.

The current election cycle began on **Wednesday, November 8, 2017** and will end on **Tuesday, November 2, 2021**.

## **Rental or Use of City Property for Political Events.**

City policy prohibits the rental or use of city owned properties for political purposes. This policy is supported by the following sections of the Annapolis City Code:

### **2.08.040.E - Use of prestige of office.**

An official or employee may not intentionally use the prestige of office or public position for the private gain of that official or employee or the private gain of another.

### **3.24.020 - Prohibited conduct.**

A City employee, directly or indirectly, shall not use or seek to use the employee's official position, authority or influence to control or modify the political action of any other person; nor shall any employee, during duty hours, engage in any active form of political activity. No employee shall receive or be in any manner associated with receiving any money or things of value from any other City employee for any political purpose.

## **4.44.140 - Advertising.**

All campaign materials must contain an authority statement. A person, candidate, campaign manager, treasurer, partisan organization or political committee, including political clubs, or party committee may not spend money for printing, publication or broadcasting of any political matter whatsoever, unless the matter purports on its face to be paid political advertisement and printed, published or broadcast by authority of the person, campaign manager or treasurer for the named candidate, partisan organization, party committee or political committee, including political clubs. Printing, publication or broadcasting includes campaign websites, fundraising events and announcements, and social media sites

Example of authority statement:

Authority: *(name of Candidate or Campaign)*; Treasurer, *(name of treasurer)*

## **4.48.170 - Campaign signs.**

Prior to any campaign signs posted or erected, the candidate must have approval from the resident or owner of said property. Campaign signs posted or erected may not obstruct traffic view from any direction or obstruct pedestrian thoroughfare. Pursuant to [Section 21.70.060.B.4.b](#) campaign signs shall not exceed thirty-two square feet in size. Prior to an election, a person may not engage in the unauthorized removal of lawfully posted and erected campaign signs. Election campaign signs shall be removed within seven days after the election to which the sign was applicable.

Deadlines for removal of campaign signs:

For defeated primary election candidates: **Tuesday, September 28, 2021**

For all candidates: **Tuesday, November 9, 2021**

## CAMPAIGN FUND REPORTS

### **4.44.080 - Election reports required.**

- A. A candidate and the treasurer shall file and sign the [Campaign Fund Report](#) as prescribed in accordance with this chapter with the Board. Election reports are required by all candidates for public or party office, whether or not the candidate's name appears on the primary ballot, the candidate withdraws subsequent to filing the candidate's certificate of candidacy or the candidate is unsuccessful in the election. Each report shall contain all contributions received and expenditures made in furtherance of the candidate's nomination or election by the candidate personally or, with the knowledge of the candidate, by any other person or groups of persons. The initial report filed shall contain all contributions and loans received and expenditures made since the date of the last preceding election to fill the office for which the person is a candidate. Each subsequent report shall contain all contributions and loans received and expenditures made since the end of the period for which the last preceding report was filed. The reports shall be filed by 4:30 p.m. on the following due dates:
1. No later than **Tuesday, August 24, 2021**; for period: 11/6/2017 - 8/15/2021; **incumbents** for period: 6/29/20 – 8/15/2021;
  2. No later than **Tuesday, September 14, 2021**; for period: 8/16/2021 - 9/12/2021;
  3. No later than **Tuesday, October 5, 2021**; for period: 9/13/2021 - 10/3/2021;
  4. No later than **Tuesday, October 26, 2021**; for period: 10/4/2021 - 10/24/2021;
  6. No later than **Wednesday, December 1, 2021**; for period: 10/25/2021 – 10/31/2021
  7. No later than **July 1, 2022, 2023 & 2024**. Annual report for years in which there is no election.

**Please use the updated Campaign Fund Report form revised January 2021.**

**Within ten (10) days after the filing deadlines established above, it is the responsibility of the candidate to file a copy of the campaign finance report to the State Board of Elections. – Local Government Article § 4-108-1**

- B. If a candidate does not intend to receive contributions or make expenditures of \$300.00 or more, exclusive of the candidate's filing fee, the candidate and the treasurer may execute an affidavit to that effect in Part III of the certificate of candidacy, or by filing with the Board an [Addendum to Affidavit of Candidate and Treasurer](#). If the candidate, in fact, does not receive contributions or make expenditures of \$300.00 or more, no further reports need be filed pursuant to this section. The affidavit shall be filed not later than **Tuesday, August 24, 2021**. If at any time the cumulative contributions to or expenditures by a candidate who has filed such an affidavit equal or exceed \$300.00, the candidate and the treasurer thereafter shall file all reports required by this section. Failure to do so

constitutes a failure to file and the commission of a misdemeanor, subject to the penalties prescribed in this chapter.

- C. The chair and the treasurer of any central committee, political committee, or partisan organization, excluding the chairs and treasurers of political clubs, shall file the report or statement of contributions, loans and expenditures as prescribed in accordance with this chapter with the Board at each of the times and for the respective periods specified above.

#### **4.44.090 - Forms.**

The forms for the "report, or statement of campaign and election contributions and expenditures" and the "schedule of receipts and disbursements" shall be prescribed by the Board. In lieu of filing the prescribed forms, the Board may allow the filing of a computer printout that contains the requisite information. Microsoft Word or Excel file formats are preferred.

#### **4.44.100 - Reporting deadlines—Failure to file.**

- A. A person may not become a candidate for public or party office in any City election, a certificate of candidacy may not be accepted on a person's behalf, and a person may not become a treasurer for a candidate or committee unless the person has filed or had filed on the person's behalf all reports or statements required by [Section 4.44.080](#) and Subsection C of this section to be filed by that person, as a candidate, chair or treasurer, during the five calendar years preceding the election in which the person seeks to become a candidate or treasurer.
- B. A late filing fee is assessed for forms not filed pursuant to [Section 4.44.080](#) of this Code.
  - 1. For pre-election reports and affidavits not timely filed, a fee of \$20.00 shall be assessed each day for the first six days and \$10.00 each day thereafter.
  - 2. For post-election reports not timely filed, a fee of \$10.00 shall be assessed each day.
  - 3. The maximum assessable fee shall be \$250.00 per report and shall be computed from the day immediately following the due date and include the day of filing.
  - 4. Fees assessed under this subsection shall not be paid directly or indirectly from campaign funds and shall constitute a personal liability of the candidate and treasurer if the campaign finance entity is a personal treasurer or chair and treasurer for all other campaign finance entities.
- C. The failure to provide all of the information called for on the forms prescribed pursuant to [Section 4.44.090](#), to the extent applicable, is a failure to file under Section 4.44.100B of this Code if the Board has notified the candidate and treasurer, or chair and treasurer, in writing, of the particular deficiencies and a properly corrected report has not been filed within thirty days of service of notice. After the thirtieth day, and in the absence of a filed corrected report, all sanctions provided for in this section and in [Section 4.48.210](#) shall be applicable without the necessity of further notice to the candidate, chair or treasurer under this subsection or Subsection B. of this section.



- D. A person may not be deemed elected to any public or party office in this City, or enter upon the duties of the office or receive any salary or emoluments from the office, until all of the reports and statement of contributions and expenditures required to be filed by the person pursuant to [Section 4.44.080](#) of this Code have been filed and assessed fees paid. A candidate may not be sworn in until the Board certifies that all the reports and statements required by those sections have been filed and assessed fees paid.
- E. The provisions of this section, and the provisions of [Section 4.44.080](#) with respect to the filing of reports or statements, are mandatory. However, a candidate may not be disqualified for failure to file a report or statement if the failure is found to be for just cause.

### **Requirement for an IRS EIN Number.**

The requirement for candidates and central committees to obtain an IRS EIN (Employer Identification Number) is an indirect one, not specifically stated in the City Code. However, as stated in Sections [4.44.020](#) and [4.44.030](#), candidates and central committees must have monies flowing through a treasurer, who is required to maintain detailed records and file financial reports with the City and the State. Ultimately, most candidates, central committees and their treasurers will use a bank to hold campaign monies and to help maintain the required financial records necessary to prepare the financial reports. Most banks will require the following three items when opening a campaign bank account:

1. Employer Identification Number. The filing of Form SS-4 with the IRS is required to receive an EIN. The form is available by calling 800-829-1040 or at [www.irs.gov](http://www.irs.gov). Note: It is not required that you be an employer to receive an EIN.
2. Personal identification of the person opening the account; and
3. A Resolution of Authority forms (requiring signatures of the treasurer and chairperson). The Statement of Organization usually satisfies this requirement by the bank.

### **Political Action Committees (PACs).**

The State of Maryland defines a Political Action committee (PAC) as a political committee that seeks to advance its political interests or purposes through the promotion of candidates, political parties, or questions. - § 1-101(ff) of the *Election Law Article*

In order to form a PAC, a Statement of Organization must be filed with the Maryland State Board of Elections. The PAC must identify its purpose on the Statement of Organization.

In order for a candidate to receive contributions from a PAC, the PAC must be registered as certified/qualified and active, by filing a Statement of Organization with the Maryland State Board of Elections. If a PAC directly or indirectly, expends \$51.00 or more to aid or oppose the nomination or election of a candidate, the PAC shall report a statement of contributions and expenditures to the candidate's treasurer and said statement shall be included with the Campaign Fund Report in which



the contribution(s) and/or expenditure(s) are reported. This provision applies to any PAC located outside of the City with respect to any expenditures of funds within the City.

## VOTER REGISTRATION

### [4.16.010](#) - Records.

Voter registration records of the Anne Arundel County Board of Elections constitute the official registration records for municipal elections. The City does not maintain a separate system for the registration of voters, and only provides for the registration of voters in accordance with procedures of the Anne Arundel County Board of Elections.

### [4.16.020](#) - Eligibility to vote.

The city is divided by ordinance into eight (8) wards of approximately equal population. A person must reside within one of the wards in order to vote in a municipal election. [Election ward maps](#) are available online. See [Appendix](#) for the link text.

Registration with the Anne Arundel County Board of Elections in accordance with the provisions and requirements of the Election Law Article of the Annotated Code of Maryland constitutes registration for purposes of voting in a municipal election if the registrant was a resident of the City at the time for closing of registration preceding the election. A person may not vote in a municipal election if the person is not registered with the Anne Arundel County Board of Elections at the time for closing of registration preceding the election.

### [4.16.040](#) - Deadlines.

For voter registration, notice of change of address or name, or request for party designation or party affiliation the City Elections Office will be open until 9:00 p.m. on these dates:

Primary Election: **Monday, August 16, 2021**

General Election: **Monday, October 4, 2021**

### [4.16.050](#) - Reports of registration.

On or before **Wednesday, September 1, 2021** the Board shall prepare a report of registration setting forth the following information, as shown on the books of the Board as of **August 17, 2021**:

- A. The name of each political party with which one or more registered voters in the City are then affiliated; and

B. The total number of registered voters affiliated with each such political party.

#### **4.16.080 - Challenges of voters and correction of lists.**

All challenges and corrections to the voter registration list shall be referred to the Anne Arundel County Board of Elections.

#### **4.16.090 - Copies of registration lists.**

The City does not maintain voter registration records. To request copies of current registrations please contact the Anne Arundel County Board of Elections. The [Application for Voter Registration Data](#) form is available online and may be downloaded from the Maryland State Board of Elections website at: <https://elections.maryland.gov/pdf/sbeappl.pdf>. Deadlines for applying for registration lists:

Primary Election: **Monday, August 16, 2021.**

General Election: **Monday, October 4, 2021**

### **SPECIMEN BALLOTS**

#### **4.24.070 - Ballots and ballot labels – public review.**

The Board shall provide ballots for every election in which any voter in the City shall participate, which shall contain the name of every candidate who has filed or has been nominated in accordance with the provisions of this chapter.

The form and arrangement of all ballots to be used in the election, shall be prepared by the Board and made available for inspection by any registered voter no less than twenty-five (25) days before an election. The ballot shall be on public display on the [2021 Elections Information webpage](#) and posted in the lobby at City Hall for five (5) days, after which time a court may not entertain a suit or grant injunctive relief to any party seeking to challenge the form or arrangement of the ballots. Posting periods of ballot for public inspection:

Primary Election: **Monday August 16, 2021 to Friday, August 27, 2021**

General Election: **Monday, October 4, 2021 to Friday October 8, 2021**

#### **4.24.110 - Specimen ballots – posting on Election Day.**

On the morning of each election, before the voting begins, the Board shall post conspicuously in each precinct polling place the specimen ballots. Specimen ballots also shall be conspicuously displayed on the outside of the polling place.

## Public Demonstration of Voting System

A public demonstration of the voting system will be at the Anne Arundel County Board of Elections Office at a time to be determined.

Primary Election: **Friday, September 10, 2021**

General Election: **Friday, October 22, 2021**

## ABSENTEE/MAIL-IN VOTING

### Mail-in Voting and Drop Boxes

**Important Note:** A recent change in the law requires the State Board of Elections and each local board of elections to refer to absentee ballots as "mail-in ballots" and absentee voting as "mail-in voting." Please note that this change in terminology does NOT change the process of mail-in voting.

Due to the Covid-19 Pandemic, the Board has determined that mail-in voting will be an option for the 2021 municipal elections. A mail-in ballot application will be mailed to all registered voters residing in the City.

This section of the handbook will be updated based on the Memorandum of Understanding to be entered into by and between the City and the Anne Arundel County Board of Elections. The Board is reviewing the Memorandum of Understanding and will provide further information with regard to polling and drop box locations.

### **4.28.010 - Application for regular absentee ballot.**

A registered voter may vote by absentee ballot. The voter shall file an [application for a regular absentee ballot](#) in the office of the Board as provided in Chapter 4.28 of the City Code. Upon receipt of the application, the Board shall provide by mail or other means an absentee ballot to the voter entitled to the ballot.

If someone is unable to pick up their absentee ballot, they may select another person to be their agent as long as the person is at least 18 years old and is not a candidate on that ballot. The individual named to pick up and deliver the absentee ballot must complete a [Regular Absentee Designation of Agent Form](#) and submit this form when he or she delivers the absentee ballot application to the Board of Supervisors of Elections Office.

Filing application deadline for Primary Election: 4:30 p.m., **Friday, September 17, 2021.**

Filing application deadline for General Election: 4:30 p.m., **Friday, October 29, 2021.**

#### **4.28.020 - Disabled voter assistance.**

A registered voter who is blind, physically disabled or who has impaired vision and is for one of these reasons unable to mark an absentee ballot and sign the required oath, may be assisted in voting by any person selected by the voter. Any person rendering assistance pursuant to this subsection shall execute the certification included with the absentee ballot.

#### **4.28.030 - Emergency absentee ballot.**

- A. Beginning **Monday September 20, 2021 and on Tuesday, September 21, 2021** (primary election) and beginning **Monday, November 1, 2021 and on Tuesday November 2, 2021**, (general election), prior to the time the polls close, any person registered and otherwise qualified to vote may [apply for an emergency absentee ballot](#) if the person is notified after the time for making application for an absentee ballot that, as a condition of employment, the person is required to be absent from the City on the day of an election, if the person is unable to be physically present at the polls as a result of illness or accident occurring after the time of making application for an absentee ballot, or if the person is unable to be present because of a death or serious illness in the person's immediate family occurring after the time for making application.
- B. Upon receipt of the application, the Board shall issue to the applicant, or the applicant's duly authorized agent, an absentee ballot that shall be marked by the voter, placed in a sealed envelope, and returned to the Board.
- C. If the applicant does not apply in person, the application shall designate a voter registered in the City as agent for delivering the absentee ballot to the voter. An agent may so act for only one voter per election. The agent shall execute an affidavit under penalty of perjury that the ballot was delivered to the voter who submitted the application, was marked by the voter in the agent's presence, was placed in a sealed envelope in the agent's presence, and returned, under seal, to the Board by the agent. The agent's affidavit shall be completed and signed in front of the voter. The voter shall certify under penalties of perjury that the agent signed the affidavit in front of the other and when the agent returns the affidavit of agent and oath of absentee voter to the Board, the agent shall sign a form indicating that the agent personally secured that absentee vote and all requirements of the law were complied with in obtaining the absentee vote.
- D. In applying for an emergency absentee ballot, a voter may be assisted by another person, but in casting an emergency ballot, only an election judge will assist the voter, as provided in [Section 4.28.020](#)
- E. Any emergency absentee ballot received by the Board after the time for closing of the polls may not be counted.

#### **4.28.090 - Sending and return of applications and ballots.**

- A. If the applicant is a registered voter per [Section 4.16.020](#), the Board after receipt of the application, shall deliver to the voter at the office of the Board, or by First Class mail to the

voter at an address designated by the voter, an absentee voter's ballot and an envelope for the ballot. Postage for transmitting ballot material to voters shall be paid by the Board, and postage for the return of ballots shall be paid by the voters. The deadline for submitting an application for a ballot to the election office is four thirty p.m. on the Friday prior to the primary or general election.

- B. The Board shall keep a record of applications for absentee voters' ballots, as well as the ballot envelopes, as they are received, showing the date and time received, the names and residences of the applicants. The Board shall also keep a record of the applications and ballots sent or delivered, including the name of registered voter to whom ballot is sent, address to which absentee ballot is sent, date absentee ballot sent, number on the absentee ballot, and any other information the Board determines is necessary to maintain integrity in the absentee ballot process. Those registered voters who [are] present at the Board to pick up their ballot shall sign a statement that they have received their ballot, to be maintained by the Board. These records shall be available for examination by any registered voter on written application to the Board.
- C. After approval of an application for an absentee ballot and the delivery of an absentee ballot to the applicant, the voter may not vote or be allowed to vote in person at any polling place.
- D. Not more than one absentee ballot shall be delivered to any one applicant unless the Board has reasonable grounds to believe that the absentee ballot previously provided has been lost, destroyed or spoiled.

## ELECTION DAY VOTING

### Days and hours for voting.

**For ALL questions or concerns on Election Day contact the Board at (410) 222-0498**

**Primary Election: Tuesday, September 21, 2021, 7:00 a.m. – 8:00 p.m.**

**General Election: Tuesday, November 2, 2021, 7:00 a.m. – 8:00 p.m.**

All qualified voters who are waiting in line to vote at 8:00 p.m. are permitted to do so by the judges.

Voters are allowed five minutes in the voting booth, if other voters are waiting to vote. Additional time shall be allowed if there are Charter amendments and/or referendums on the ballot. Before requiring a voter, who has remained beyond the permitted time in the voting booth, an election judge of each political party will offer the voter the opportunity to receive assistance as may be permitted by [Section 4.24.160](#).

### **4.08.090 – Notice of Elections and Polling Locations.**

The Board shall publish, for all elections, for two consecutive days prior to each election, in the Capital Gazette newspaper, the time and place and names of the candidates for nomination, or for members of central committees of a political party. The list of nominations published by the Board shall be

arranged to the extent practicable, in the order and form in which they are to be printed upon the ballots.

- Notice publication for Primary Election: **Sunday, September 19 & Monday, September 20, 2021**
- Notice publication for General Election: **Sunday, October 31 & Monday, November 1, 2021**

#### **Proposed Polling Locations for the 2021 Municipal Elections:**

This section of the handbook will be updated based on the Memorandum of Understanding to be entered into by and between the City and the Anne Arundel County Board of Elections. The Board is reviewing the Memorandum of Understanding and will provide further information with regard to polling and drop box locations.

#### **4.08.110 - New polling places—Changed polling places.**

From time to time, the Board may designate new polling places in any precinct or ward or change the location of any existing polling place.

Except in emergencies, a new polling place may not be designated, nor may the location of an existing polling place be changed, after **Tuesday, June 15, 2021**. Where possible and feasible, the polling places utilized for the immediately preceding presidential election shall be used.

### **Electioneering.**

***What is electioneering?*** Electioneering is campaigning for or against a candidate or ballot issue. It includes handing out fliers, holding signs, and encouraging voters to support or oppose a candidate or ballot question. It is not electioneering if a voter wears campaign buttons, t-shirts, or stickers when voting. After voting, however, the voter must immediately leave the early voting center or election day voting center.

- ***Where can I electioneer?*** At each voting location, there is a line as near as practicable to 100 feet from the entrance and exit of the facility that are closest to that part of building in which voting occurs. To electioneer, you must stay behind that line. This prohibition does not apply to adjacent private property and does not apply to a vehicle bearing a campaign bumper sticker if the vehicle is driven by a voter who parks within the 100-foot limit in order to vote but does apply if the vehicle bears posted campaign *signs*.
- ***Who can electioneer?*** Almost everyone can electioneer. Election judges, challengers and watchers, and other people within the marked “no electioneering” zone of the facility cannot electioneer. These individuals cannot wear or display campaign materials.
- ***Is exit polling allowed?*** An individual can conduct exit polls as long as the person:
  - Is outside of the voting room

- Is wearing an identifying badge
- Does not ask questions until voters have left the voting room
- Tells voters that answering questions is voluntary
- Is not electioneering and therefore can be within the 100-foot no electioneering zone

Anyone wishing to observe voting activities at a polling place, must be accredited as a challenger and watcher. Refer to the [Challengers and watchers](#) section of this handbook for more information.

#### **4.08.050 - Election Judges.**

Election judges are responsible for administering voting procedures in their precinct and ensuring a fair and accessible election for all eligible voters. Duties include setting up and breaking down a polling place before and after voting hours. Other duties may include checking in voters, assisting voters, and overseeing all election procedures throughout the polling place.

Election judges are trained before election day. They report about one hour before the polls open at 7:00 a.m. and serve until all duties are completed after the polls close at 8:00 p.m.

Election judges may not be a:

1. Candidate or currently hold a public or political office, including State and county political party central committees; or
2. Chair, campaign manager or treasurer for a political or candidate committee.

To become an election judge, contact the Anne Arundel County Board of Elections Office, or apply using the [Election Judge Application](#). The deadline for appointment of election judges is **Tuesday, August 24, 2021**.

#### **4.24.010 - Policing.**

Each of the Chief Judges has the authority to keep the peace and to cause any person to be arrested for any breach of the peace, or for any breach of the election laws, or any interference with the progress of an election, the canvass of the ballots or the ascertainment and transcription of the votes recorded on the approved voting devices. It shall be the duty of all officers of the law present to obey the order of any Chief Judge, and an officer making an arrest by the direction of any Chief Judge shall be protected in so doing fully as if a warrant had been issued to that officer to make such arrest.

**For ALL questions or concerns on Election Day contact the Board at (410) 222-0498**

#### **4.24.030 - Challengers and watchers.**

- A. Each candidate, political party or other body of voters having a candidate, candidates, principal or proposition appearing on the ballot, shall have the right to designate a registered voter as a challenger and watcher at each place of registration and election. Challengers

and watchers shall be assigned to a position near the judges, inside the registration or polling room, as to enable them to observe and hear the name of each person as the person offers to register or vote. They shall be protected in the discharge of their duty by the judges and the police, but a judge is not required to assist any watcher or challenger in the performance of the watcher's or challenger's duties.

- B. A [Challengers and Watchers Certificate](#) (use new form updated for 2021) signed and dated by any party or candidate shall be sufficient evidence of the right of any challenger and watcher to be present in the registration or polling room. The certificate form as described in Paragraph G. of this section shall be presented to the Chief Judge immediately upon entry to the polling or registration location.
- C. A challenger or watcher has the right to enter the polling place one-half hour before the opening of the polls. A challenger or watcher has the right to enter or be present at the polling place at any time the polls are open, and may remain in the polling place until the returns are completed.
  - 1. A challenger or watcher may maintain a list of registered voters who have voted, or individuals who have cast provisional ballots, and take the list outside of the polling place; and
  - 2. A challenger or watcher may temporarily leave a polling place for the purpose of seeking information that identifies registered voters who have cast ballots or individuals who have cast provisional ballots.
- D. It is unlawful for any challenger or watcher to inquire or ascertain for which candidate any voter intends to vote, or has voted, or to converse in the polling place with any voter or to assist any voter in the preparation of the voter's ballot or in the operation of the voting machine or to physically handle an original election document. Any challenger or watcher who violates the restrictions of this subsection may lawfully be ejected by the Chief Judge of a polling precinct and is subject to the punishment provided for in this title.
- E. A challenger or watcher may be removed at any time by the same person who appointed the challenger or watcher.
- F. Persons other than accredited challengers or watchers who desire to challenge the vote of any person shall be permitted to enter the polling place for that purpose, but a majority of the judges may limit the number of persons to be allowed in the polling place at any one time for that purpose; and all of these persons shall leave the polling place as soon as the right to vote of the person challenged by them has been decided.
- G. The form for the certificate of a challenger and watcher shall be supplied by the Board, party, candidate or other organization and shall be on a form prescribed by the Board. The Board shall include in the prescribed form, the restrictions contained in this subsection and punishment provided for in this subsection in the event of noncompliance
- H. While at a polling place, a challenger or watcher shall wear an identification badge approved by the Board.



Any candidate acting as an accredited challenger or watcher cannot use cameras and electronic devices, such as phones, laptops, and tablets, in the polling place. You must be outside the polling place and the “no electioneering” zone to use any electronic device. You cannot act as voter advocates or attempt to exercise political influence while in the polling place. You cannot bring any political materials, newspapers, or news magazines into the polling place or wear anything with a political message. This includes buttons, shirts, hats, stickers, and the like. You cannot bring food or drink for election staff or voters.

You can bring paper, pen, a folding chair (recommended) and food for your personal consumption.

**IMPORTANT:** For the 2021 Municipal and General Elections: To slow the spread of COVID-19, election judges may need to limit the number of challengers and watchers allowed in a voting location. If you wish to be a challenger or watcher for either of these elections, please contact the Elections Office for more information.

#### **4.28.095 - Provisional ballots.**

In general, if an individual is eligible, the individual shall be issued and may cast a provisional ballot at a polling place on election day; or at office of the Election Administrator after the close of registration and before the closing of the polls on election day. Under Federal law, every voter who claims to be registered and eligible to vote must be given an opportunity to vote.

#### **4.24.180 - Challenge of right to vote.**

- A. No person's right to vote shall be challenged at the poll on any ground but identity.
- B. When the right of any person to vote is challenged, the challenge shall be made and its validity determined immediately before or after such person receives a voting authority certificate or card and before the challenged voter enters the voting booth to cast a ballot. The person challenging shall be put under oath by a judge and assign the reason for the challenge, and one of the judges shall administer to the challenged voter an oath to make true answers to questions. The judges shall question the challenged voter touching the cause of the challenge, and if a majority of the judges, after the questioning is concluded, is of the opinion that the challenged voter is the person so registered, the challenged voter's vote shall be received accordingly. Unless a majority of the judges is of the opinion that the challenged voter is entitled to vote, the challenged voter's vote shall not be received, and the word "Rejected" shall be written on the challenged voter's voting authority certificate or card.

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#### **4.24.200 - Tabulation of votes.**

The judges, in the presence of any candidate, the duly accredited watchers and all other persons who may be lawfully within the polling place, after completing required closing procedures, shall proceed to tabulate the votes cast.

#### **4.24.210 - General result preparation.**

When the canvass of all voting machines in the polling place has been completed, the judges then shall sign the printouts and then call the results in to the Board's office. Then all machines shall be promptly delivered to the Board's office.

#### **4.24.220 - Announcement of vote.**

The result of the votes cast shall be announced one time by one of the judges, who shall read the name of each candidate on the ballot and the number of votes cast for that candidate and the number of votes cast for and against each question on the ballot.

During such proclamation, ample opportunity shall be given to any person lawfully present to compare the results so announced with the printed record of the machine.

#### **4.24.250 - Report of tabulation.**

The judges of each precinct, immediately upon completion of the tabulation of the vote, shall report the unofficial result to the Board and also the time when the tabulation of the vote was completed. Immediately after the vote has been ascertained, the statement of the vote shall be posted on the door of the polling place, and as soon as possible, on the [2021 Elections Information webpage](#)

## **BOARD OF CANVASSERS**

#### **4.32 - Board of Canvassers**

On the Tuesday following every primary, general or special election, the Board of Supervisors of Elections shall be reconstituted as the Board of Canvassers. All questions arising in the course of their proceedings shall be determined by a majority of the canvassers. All the sessions, deliberations and proceedings of the Board of Canvassers shall be public. All candidates and their counsel shall have the right to attend and inspect the original statements and returns, and all other documents and records.

The canvass of votes for the primary election is at the Anne Arundel County Board of Elections Office on **Tuesday, September 28, 2021 at 11:00 a.m.**

The Board of Canvassers will transmit the statement of returns to City Council and Clerk of the Circuit Court on **Thursday, September 30, 2021** (unless canvass continues beyond one day). This is also the deadline for any defeated candidate to petition for a re-canvass and recount of the ballots cast.

The canvass of votes for the general election is at the Anne Arundel County Board of Elections Office on **Tuesday, November 9, 2021 at 11:00 a.m.**

The Board of Canvassers will transmit the statement of returns to City Council and Clerk of the Circuit Court on **Wednesday, November 10, 2021** (unless canvass continues beyond one day).

The deadline for any defeated candidate to petition for a re-canvass and recount of the ballots cast is **Friday, November 12, 2021**.

Any ballot that is postmarked on or before election day, and received by the Board from the United States Postal Service not later than 10:00 a.m. on the day of the canvass, will be accepted.

## APPENDIX

For the most up-to-date forms please visit the City of Annapolis 2021 Elections Information website at <https://www.annapolis.gov/1702/2021-Elections-Information>

### **2021 Municipal Election Calendar**

#### **Candidate Election Documents**

**2020 Annual Financial Disclosure Statement for Elected Officials and Candidates for Elected Office:** <https://www.annapolis.gov/DocumentCenter/View/3810/2020-Annual-Financial-Disclosure-Statement-for-Elected-Officials--Candidates-for-Elected-Ofc-PDF>

**Addendum to Affidavit of Candidate and Treasurer 2021:**  
<https://www.annapolis.gov/DocumentCenter/View/923/Addendum-to-Affidavit-of-Candidate-and-Treasurer-2021-PDF>

**Campaign Fund Report:** <https://www.annapolis.gov/DocumentCenter/View/924/Campaign-Fund-Report-PDF>

**Certificate of Candidacy 2021:** <https://www.annapolis.gov/DocumentCenter/View/925/Certificate-of-Candidacy-2021-PDF>

**Certificate of Withdrawal:** <https://www.annapolis.gov/DocumentCenter/View/926/Certificate-of-Withdrawal-PDF>

**Challengers and Watchers Certificate:**  
<https://www.annapolis.gov/DocumentCenter/View/927/Challengers-and-Watchers-Certificate-PDF>

**Indigent Candidate Petition:** <https://www.annapolis.gov/DocumentCenter/View/928/Indigent-Candidate-Petition-PDF>

**Nomination by Petition:** <https://www.annapolis.gov/DocumentCenter/View/929/Nomination-by-Petition-PDF>

**Resignation Replacement and Acceptance of Officer:**  
<https://www.annapolis.gov/DocumentCenter/View/919/Resignation-Replacement-and-Acceptance-of-Officer-PDF>

### **Election Judge Documents**

**Election Judge Application:** <https://www.annapolis.gov/DocumentCenter/View/12319/Election-Judge-Application-PDF>

### **Absentee Ballot Forms**

**Regular Absentee Ballot Information and Application:**  
<https://www.annapolis.gov/DocumentCenter/View/5900/1-Regular-Absentee-Ballot-Information-and-Application-PDF>

**Certification of Person Assisting Absentee Voter:**  
<https://www.annapolis.gov/DocumentCenter/View/5897/2-Certification-of-Person-Assisting-Absentee-Voter-PDF>

**Emergency Absentee Ballot Designation of Agent Form:**  
<https://www.annapolis.gov/DocumentCenter/View/5899/3-Emergency-Absentee-Ballot-Designation-of-Agent-Form-PDF>

**Emergency Absentee Ballot Instructions and Application:**  
<https://www.annapolis.gov/DocumentCenter/View/5901/4-Emergency-Absentee-Ballot-Instructions-and-Application-PDF>

**Regular Absentee Designation of Agent Form:**  
<https://www.annapolis.gov/DocumentCenter/View/8202/5--Regular-Absentee-Designation-of-Agent-FormPDF>

**Ward Maps** – <https://www.annapolis.gov/430/Ward-Maps>

**Mail-in Voting Turnout for 2020 General Presidential Election** –  
<https://www.annapolis.gov/DocumentCenter/View/18213/2020-Presidential-Election-Turnout---City-of-Annapolis-PDF>